

133-

# **REQUEST FOR COUNCIL ACTION**

MEETING  
08-04-03

AGENDA SECTION: PUBLIC HEARING	ORIGINATING DEPT: PLANNING	ITEM NO. <b>E-9</b>
ITEM DESCRIPTION: Final Plat #02-64 by Joel Bigelow & Sons Enterprises, Inc. to be known as Kingsbury Hills Fourth Subdivision. The property is located east of 60 <sup>th</sup> Avenue NW and south of 55 <sup>th</sup> Street NW and includes approximately 27.06 acres of land to be subdivided into 84 lots for single family homes and three Outlots. The Plat also includes dedication of right-of-way for public streets, including the extension of Castleview Street NW.		PREPARED BY: Theresa Fogarty, Planner

July 29, 2003

## **Staff Recommendation:**

Staff would recommend approval subject to the following conditions:

1. *Prior to submitting the Final Plat for recording:*
  - a. *Identify controlled access along the entire frontage of 55<sup>th</sup> Street NW and 60<sup>th</sup> Avenue NW, with the exception of any approved street accesses.*
  - b. *Identify controlled access along the entire frontage of Lot 26, Block 1 and Lot 1, Block 2, that abuts 59<sup>th</sup> Avenue NW.*
2. *Parkland Dedication shall be met via: Deferred Land Dedication, per the attached memo from Rochester Park and Recreation Department, dated July 10, 2003.*
3. *No Parking shall be allowed and "No Parking" signs shall be posted along both sides of 59<sup>th</sup> Avenue NW to Belfry / Baron Lane NW.*
4. *A GIS Impact Fee and E911 Addressing Fee shall be assessed and must be paid prior to recording the final plat, per the July 9, 2003 memorandum from Rochester-Olmsted Planning Department – GIS Division.*

## **Council Action Needed:**

1. *If the Council wishes to proceed, it should instruct the City Attorney to prepare a resolution with findings supporting their decision.*

## **Attachment:**

1. Staff Report, dated July 29, 2003.

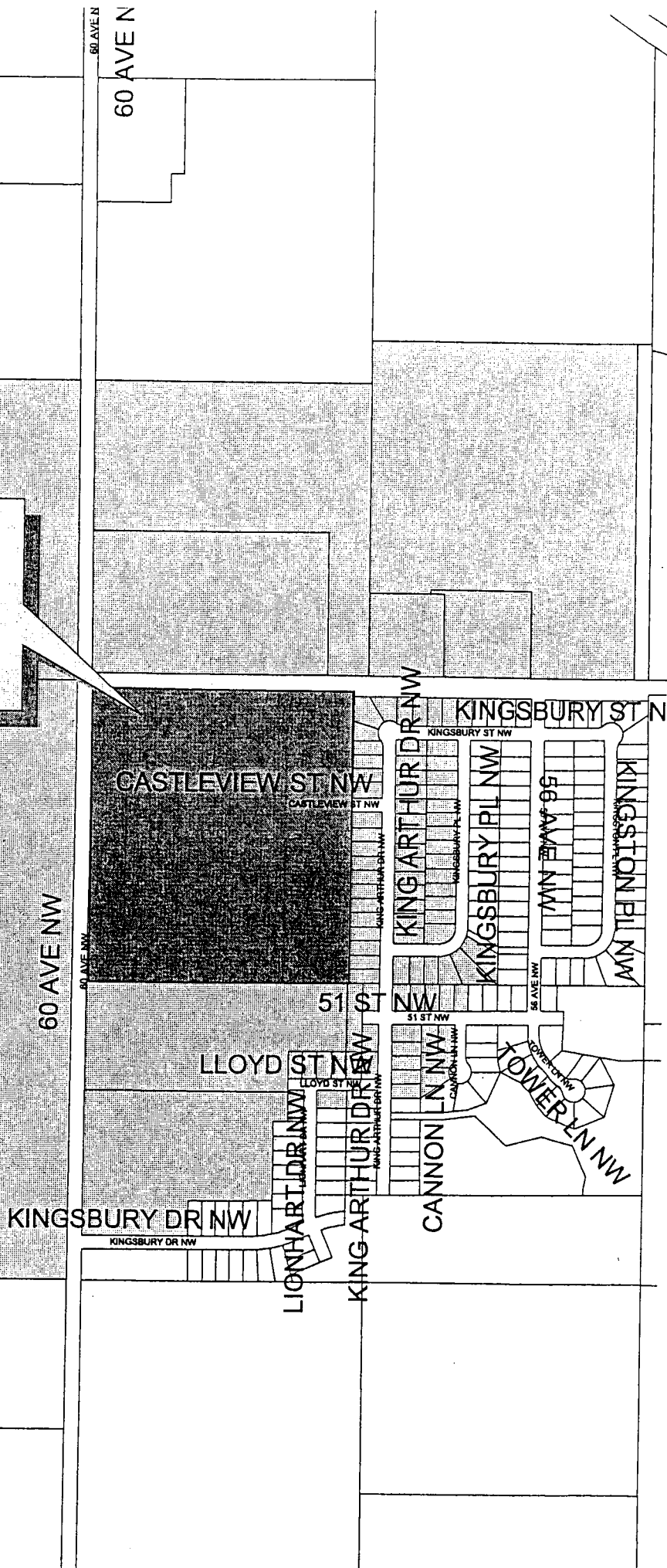
## **Distribution:**

1. City Attorney
2. Planning Department File
3. McGhie & Betts, Inc.
4. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, August 4, 2003, in the Council/Board Chambers at the Government Center, 151 4th Street SE.

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

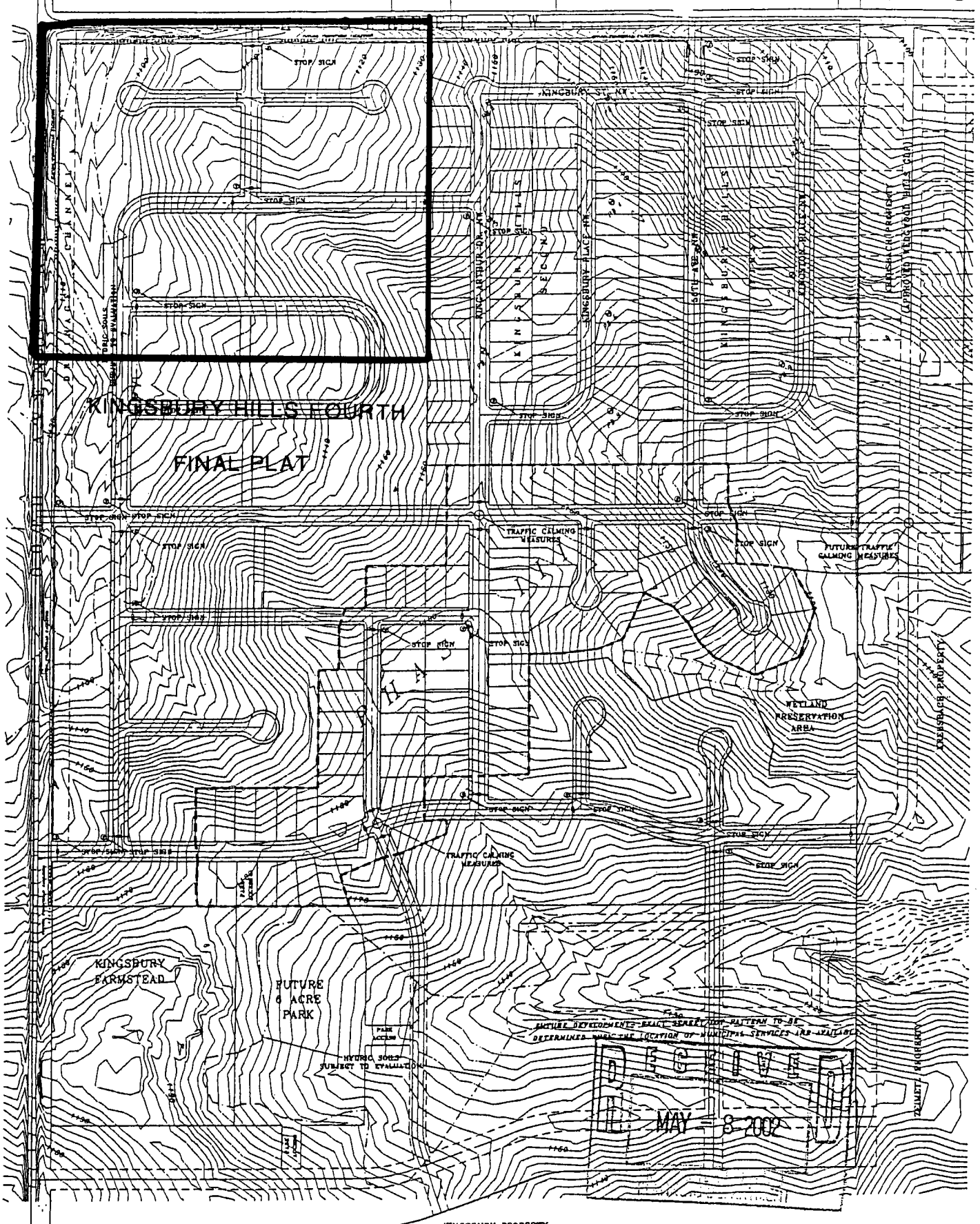
13A

Final Plat #02-64  
Kingsbury Hills Fourth  
500' Notification Distance  
Ward 3 McConnell  
07/15/03



135 -

#1616 Kingsbury Hills - Approved 6/13/02 w/ 4 conditions



651 LOTS  
203 ACRES  
3.2 UNITS/ACRE

RECOMMENDED FOR APPROVAL BY:	
CITY PLANNING DEPARTMENT	DATE: _____
APPROVED BY THE TOWN BOARD	DATE: _____

NO.	DATE	REVISION

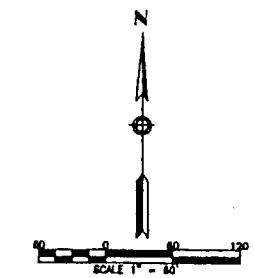
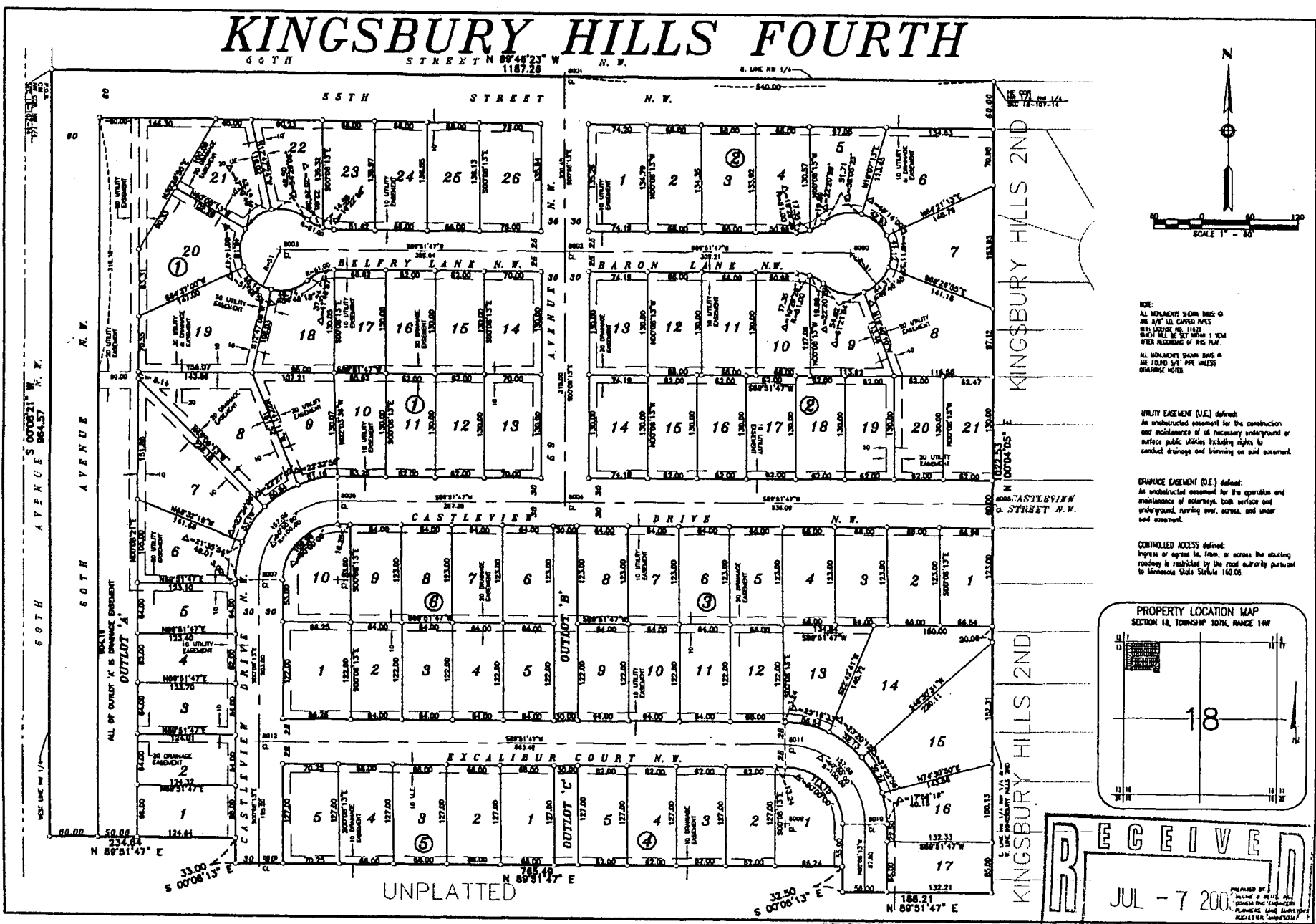


**DECEIVED**

GENERAL DEVELOPMENT PLAN  
KINGSBURY HILLS  
ROCHESTER, MN

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# KINGSBURY HILLS FOURTH

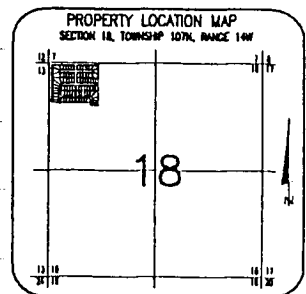


NOTE:  
ALL MONUMENTS SHOWN BASED ON  
ARE SUT TO CORNER PINS  
WHICH WILL BE SET WITHIN 1 YEAR  
AFTER RECORDING OF THIS PLAT  
ALL MONUMENTS SHOWN BASED ON  
ARE FOUND SUT PPE UNLESS  
OTHERWISE NOTED

UTILITY EASEMENT (U.E.) defined:  
An unobstructed easement for the construction  
and maintenance of all necessary underground or  
surface public utilities including rights to  
conduct drainage and wiring on said easement.

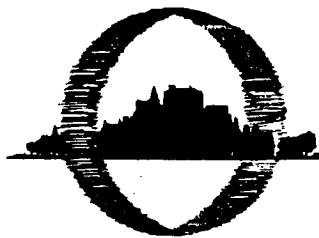
DRAINAGE EASEMENT (D.E.) defined:  
An unobstructed easement for the operation and  
maintenance of waterways, both surface and  
underground, running over, across, and under  
said easement.

CONTROLLED ACCESS defined:  
Ingress or egress to, from, or across the abutting  
property is restricted by the road authority pursuant to  
Minnesota State Statute 160.06.



**RECEIVED**  
JUL - 7 2003  
ROCHESTER OLMSIED  
DIAMOND RECORDS

137-



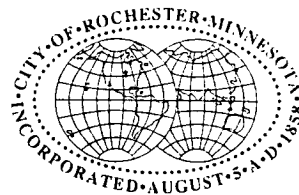
## ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

*Olmsted*

[www.olmstedcounty.com/planning](http://www.olmstedcounty.com/planning)



**TO:** Rochester Common Council

**FROM:** Theresa Fogarty, Planner

**DATE:** July 29, 2003

**RE:** Final Plat #02-64 by Joel Bigelow & Sons Enterprises, Inc. to be known as Kingsbury Hills Fourth Subdivision. The property is located east of 60<sup>th</sup> Avenue NW and south of 55<sup>th</sup> Street NW and includes approximately 27.06 acres of land to be subdivided into 84 lots for single family homes and three Outlots. The Plat also includes dedication of right-of-way for public streets, including the extension of Castlevue Street NW.

### Planning Department Review:

**Applicant/Owner:** Joel Bigelow and Sons Enterprises, Inc.  
706 County Road 3 NW  
Byron, MN 55920

**Surveyors/Engineers:** McGhie & Betts, Inc.  
1648 Third Avenue SE  
Rochester, MN 55904

**Referral Comments:** Rochester Park and Rec. Department  
Rochester Public Works Department  
Planning Department – GIS Division

**Report Attachments:**

1. Referral Comments ( 3 letters)
2. Location Map
3. Copy of Final Plat
4. Kingsbury Hills approved General Development Plan.

### Development Review:

**Location of Property:** The property is located east of 60<sup>th</sup> Avenue NW and south of 55<sup>th</sup> Street NW.

**Zoning:** The property is currently zoned R-1 (Mixed Single Family) district on the City of Rochester Zoning Map.



**Proposed Development:**

This development consists of 27.06 acres of land to be subdivided into 84 lots for single family development.

**Roadways:**

The plat proposes to dedicate the extension of Castlevue Street NW, labeled as "Castlevue Drive NW", which is designed with a 60' right-of-way.

In addition, the plat proposed to dedicate six (6) new roadways.

The first roadway labeled as "Baron Lane NW" is designed with a 50' right-of-way ending in a cul-de-sac with a 51' radius.

The second roadway labeled as "Belfry Lane NW" is designed with a 50' right-of-way ending in a cul-de-sac with a 51' radius.

The third roadway labeled as "Excalibur Court NW" is designed with a 56' right-of-way.

The fourth roadway labeled as "59 Avenue NW" is designed with a 60' right-of-way. No Parking shall be permitted on 59<sup>th</sup> Avenue NW from 55<sup>th</sup> Street NW to Belfry / Baron Lane NW.

The fifth roadway labeled as "55<sup>th</sup> Street NW" is designed with a 60' right-of-way.

The sixth roadway labeled as "60<sup>th</sup> Avenue NW" is designed with a 60' right-of-way.

Controlled access is required along the entire frontage of 55<sup>th</sup> Street NW and 60<sup>th</sup> Avenue NW, with the exception of any approved street accesses. Additional controlled access is required along the entire frontage of Lot 26, Block 1 and Lot 1, Block 2, that abuts 59<sup>th</sup> Avenue NW.

**Pedestrian Facilities:**

A Development Agreement has been executed with addresses the requirement of Pedestrian Facilities.

**Drainage:**

The topography generally drains from the North and West to the southeast portions of this plat.

Grading Plans have been approved by the City Public Works.

**Wetlands:**

The Soil Survey and National Wetland Indicator maps were reviewed for the presence of wetlands. The consultant has identified wetlands on the property and a site visit occurred with members of the TEP. A Wetland Replacement Plan has been submitted.

**Public Utilities:**

Final utility plans have been approved.

**Spillover Parking:**

As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 101 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well.

**Parkland Dedication:**

The City Park and Recreation Department recommends that dedication requirements be met via: Deferred land dedication.

The land to be dedicated when the park site is graded by the applicant and accessible via public street or when the City wishes to begin development of the park.

Outlots B and C (mid-block connections) shall be graded and seeded to turf by the applicant, prior to deeding to the City.

**General Development Plan:**

This property is included in the Kingsbury Hills General Development Plan.

**Preliminary Plat Staff Review and Recommendation:**

A preliminary plat for this area was approved by the Council on February 19, 2003. The approval of the preliminary plat was subject to thirteen (13) conditions: The conditions are listed below:

1. ***Storm water management must be provided, and a storm water management fee will apply to any areas of this proposed development that participate in the City's Storm Water Management Plan, and do not drain to an existing on-site detention facility. Additionally, off site easements are required for the storm water discharge to areas outside of this subdivision, and for proposed sanitary sewer and watermain that extend beyond the plat boundaries.***
2. ***"No Parking" signs shall be posted along 50<sup>th</sup> St. NW, within 200 feet of the right-of-way intersection with 60<sup>th</sup> Ave. NW.***
3. ***Parkland dedication requirements shall be met via: deferred land dedication and cash in lieu of land per the December 30, 2002 memorandum from Rochester Park and Recreation.***
4. ***Following Final Plat, Outlots "A", "B", "C", "D", "E" and "F" shall be dedicated to the City.***
5. ***Pedestrian facilities are required along both sides of all new public roads, as well as a bituminous path along the entire southerly frontage of 55<sup>th</sup> Street NW, and the easterly frontage of 60<sup>th</sup> Ave. NW. IN addition, the Developer is obligated to construct the 10 foot wide bituminous paths in Outlots "C" through "F". Execution of a Pedestrian Facilities Agreement is required to address the Owner's obligations related to pedestrian facilities, including its cash contribution requirements for facilities that the City will be constructing.***

6. *Controlled access is required along the entire frontage of 55<sup>th</sup> St. NW, and 60<sup>th</sup> Ave. NW, with the exception of any approved street accesses. Additional controlled access is required along the entire frontage of Lot 1, Block 3, and Lot 1, Block 1 that abut 58<sup>th</sup> Ave. NW, and along the entire frontage of Lot 33, Block 1, and Lot 1, Block 2 abutting 51<sup>st</sup> St. NW, and along the entire frontages of Lot 14, Block 2, and the westerly 30.96 feet of frontage of Lot 1, Block 12, abutting Kingsbury Drive NW.*
7. *Adequate public facilities are not currently in place to serve this proposed development. The timing for development of this subdivision is dependant on the extension of Trunkline Sanitary Sewer to provide gravity service. The timing of construction, and financial obligations of the Owner, shall be addressed for the infrastructure that is needed to meet the "Adequate Public Facilities" requirement in the LDM, prior to Final Plat approval.*
8. *Wetlands exist on this property. Approval is contingent upon obtaining appropriate permits to fill or otherwise disturb wetlands. No grading work is to occur within Wetland areas prior to securing proper permits.*
9. *The grading and drainage plans and erosion and sedimentation control plans must be approved by the City prior to commencement of grading activities on this property.*
10. *The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.*
11. *Hydrant spacing identified on the preliminary plat is inadequate. Additional hydrants, meeting the requirements shall be provided with the final construction plans.*
12. *Roadway names shall be modified as identified in the December 27, 2002 memorandum from the Planning Department addressing staff and shall be reflected on the Final Plat application.*
13. *Lot 1, Block 12, or a portion thereof, may need to be reserved for future right-of-way needs. Prior to Final Plat application for this portion of the development, a determination will need to be made relative to future right-of-way needs for 60<sup>th</sup> Ave. NW. The Final Plat shall be modified to reserve additional land for future right-of-way for 60<sup>th</sup> Ave., if determined necessary.*

**Planning Staff Review and Recommendation:**

The Developer has executed a Development Agreement and this property is subject to the terms of the executed Development Agreement for Kingsbury Hills. Therefore, Staff would recommend approval subject to the following conditions or modifications:

1. *Prior to submitting the Final Plat for recording:*
  - a. *Identify controlled access along the entire frontage of 55<sup>th</sup> Street NW and 60<sup>th</sup> Avenue NW, with the exception of any approved street accesses.*



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- b. Identify controlled access along the entire frontage of Lot 26, Block 1 and Lot 1, Block 2, that abuts 59<sup>th</sup> Avenue NW.*
- 2. Parkland Dedication shall be met via: Deferred Land Dedication, per the attached memo from Rochester Park and Recreation Department, dated July 10, 2003.*
- 3. No Parking shall be allowed and "No Parking" signs shall be posted along both sides of 59<sup>th</sup> Avenue NW to Belfry / Baron Lane NW.*
- 4. A GIS Impact Fee and E911 Addressing Fee shall be assessed and must be paid prior to recording the final plat, per the July 9, 2003 memorandum from Rochester-Olmsted Planning Department – GIS Division.*

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ROCHESTER PARK AND RECREATION DEPARTMENT  
201 FOURTH STREET SE  
ROCHESTER MINNESOTA 55904-3769  
TELE 507-281-6160  
FAX 507-281-6165

## MEMORANDUM

DATE: July 10, 2003  
TO: Jennifer Garness  
Planning  
RE: Kingsbury Hills 4<sup>th</sup>  
Final Plat # 02-64

Acreage of plat.....	27.06 a
Number of dwelling units.....	84 units
Density factor.....	.0244
Dedication .....	2.05 a
Fair market value of land.....	\$15,000 / a

The Park and Recreation Department recommends that dedication requirements be met via: Deferred land dedication

The deferred land dedication (2.05 acres) to be land identified on the approved GDP as a 6.0 acre neighborhood park. The applicant has previously deferred 2.15 acres with the approval of Kingsbury Hills 3<sup>rd</sup>. The land to be dedicated when the park site is graded by the applicant and accessible via public street or when the City wishes to begin development of the park.

Outlots B and C (mid block connections) should be graded and seeded to turf by the applicant prior to deeding to the City.

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 7/24/03

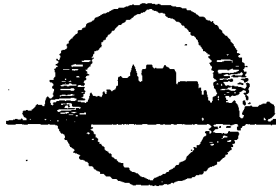
The Department of Public Works has reviewed the application for FP#02-64, for the proposed Kingsbury Hills Fourth Subdivision. The following are Public Works comments on the proposal:

1. A Development Agreement has been executed for this property.
2. A City-Owner Contract has executed for this development.
3. Controlled access is required along the entire frontage of 55<sup>th</sup> St NW, and 60<sup>th</sup> Ave NW, with the exception of any approved street accesses. Additional controlled access is required along the entire frontage of Lot 1, Block 3, and Lot 1, Block 1, that abut 58<sup>th</sup> Ave NW.
4. No Parking should be permitted on 59<sup>th</sup> Ave NW from 55<sup>th</sup> St NW to Belfry / Baron Ln NW.

Charges/fees applicable to the development of this property are addressed in the Development Agreement, and include:

- ❖ Sewer Availability Charge (SAC) @ \$1790.25 per developable acre.
- ❖ Water Availability Charge (WAC) @ \$1790.25 per developable acre.
- ❖ A Stormwater Management Fee @ \$2211.76 per acre, for any area of this property that does not drain toward a detention facility, constructed by the Owner, to serve this property.
- ❖ Storm Water Management District Charge (SWMD) @ \$1082.60 per gross acre draining to Section 7, Cascade Township
- ❖ Northwest Transportation Improvement District (NWTID) @ \$2007.14 per gross acre
- ❖ First Seal Coat @ \$0.49 per square yard of public street surface
- ❖ Traffic Signs as determined by the City Engineer

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COUNTY OF  
*Olmsted*



Rochester-Olmsted Planning Department  
GIS/Addressing Division  
2122 Campus Drive SE  
Rochester, MN 55904-4744  
Phone: (507) 285-8232  
Fax: (507) 287-2275

## PLAT REFERRAL RESPONSE

**DATE:** July 9, 2003

**TO:** Jennifer Garness

**FROM:** Randy Growden  
GIS/Addressing Staff  
Rochester-Olmsted County  
Planning Department

**CC:** Pam Hameister, Wendy Von Wald; McGhie and Betts

**RE:** **KINGSBURY HILLS FOURTH**

**UPON REVIEW OF THIS PLAT THE FOLLOWING FEES ARE REQUIRED TO BE PAID BEFORE THE PLAT IS RECORDED. THIS APPLIES TO ALL PLATS RECORDED ON OR AFTER JUNE 1, 2003.**

**E911 ADDRESSING FEE: \$1680.00 (84 LOTS/ADDRESSES)**

**GIS IMPACT FEE: \$635.00 (87 LOTS/OUTLOTS)**

**Notes:** 1. Additional E911 Addressing fees may be required upon Site Plan review.  
2. Final Plats must be legally recorded before request for address Applications are submitted to E911 Addressing Staff-Rochester/Olmsted County Planning Dept.

A review of the **final plat** has turned up the following **ADDRESS** or **ROADWAY** related issues:

1. Upon review of **KINGSBURY HILLS FOURTH** the GIS / Addressing staff has found no issues to bring forth at this time.